

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
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214724

September 21, 2005

Phone: (312) 252-1500
Fax: (312) 252-2400
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VIA FEDERAL EXPRESS

Mr. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W., Room 700
Washington, DC 20006



Re: **Docket No. AB-314 (Sub-No. 3X)**
Chicago, Central & Pacific Railroad Company --
Abandonment Exemption -- In Linn County, Iowa

Dear Secretary Williams:

Enclosed for filing in the above-captioned proceeding are an original and ten copies of the **Verified Notice of Exemption of Chicago, Central & Pacific Railroad Company Pursuant to 49 C.F.R. § 1152.50**, dated September 21, 2005. A check in the amount of \$3,000, representing the appropriate fee for this filing, is attached.

One extra copy of the Notice and this letter also are enclosed. Please date-stamp those items to show receipt of this filing and return them to me in the provided envelope.

The original copy of the Environmental/Historic Report accompanying the Notice has been provided directly to the Board's Section of Environmental Analysis. If you have any questions regarding this filing, please feel free to contact me. Thank you for your assistance on this matter.

ENTERED
Office of Proceedings

SEP 22 2005

Part of
Public Record

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'T. Litwiler'.

Thomas J. Litwiler
Attorney for Chicago, Central & Pacific
Railroad Company

TJL:tl

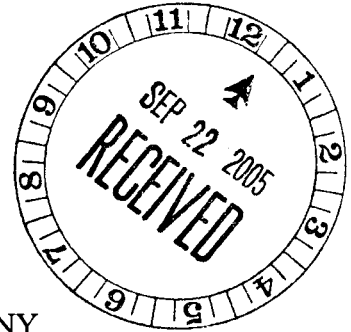
Enclosures

cc: Victoria J. Rutson, SEA

2/4/24

ORIGINAL

BEFORE THE
SURFACE TRANSPORTATION BOARD



DOCKET NO. AB-314 (SUB-NO. 3X)

CHICAGO, CENTRAL & PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN LINN COUNTY, IOWA

**VERIFIED NOTICE OF EXEMPTION OF
CHICAGO, CENTRAL & PACIFIC RAILROAD COMPANY
PURSUANT TO 49 C.F.R. § 1152.50**

Thomas J. Litwiler
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832
(312) 252-1500

**ATTORNEYS FOR CHICAGO, CENTRAL &
PACIFIC RAILROAD COMPANY**

Dated: September 21, 2005

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-314 (SUB-NO. 3X)

CHICAGO, CENTRAL & PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN LINN COUNTY, IOWA

**VERIFIED NOTICE OF EXEMPTION OF
CHICAGO, CENTRAL & PACIFIC RAILROAD COMPANY
PURSUANT TO 49 C.F.R. § 1150.50**

Chicago, Central & Pacific Railroad Company ("CC&P") hereby submits this Verified Notice of Exemption under 49 C.F.R. § 1152.50 for the abandonment of CC&P's line of railroad (the "North Cedar Rapids Spur") extending from milepost 87.74 at 16th Street N.E. to the end of track at milepost 88.53 near 20th Street N.E. in Cedar Rapids, Linn County, Iowa, a distance of approximately 0.79 miles. A map showing the line to be abandoned is attached hereto as Exhibit A.

In accordance with the requirements of 49 C.F.R. § 1152.50(d)(2), CC&P submits the following information:

General Corporate Information: 49 C.F.R. § 1152.22(a)(1) - (2)

CC&P is a Class II common carrier by rail subject to the jurisdiction of the Surface Transportation Board under the Interstate Commerce Act, Subtitle IV, Chapter 105 of Title 49 of the United States Code. CC&P owns and operates approximately 700 miles of rail line between Chicago, Illinois and Sioux City/Council Bluffs, Iowa, and commenced operations in 1985. Chicago, Central & Pacific Railroad Company -- Purchase (Portion), Trackage Rights, and Securities Exemption, Finance Docket No. 30663 (ICC served December 24, 1985). CC&P

is today an indirect subsidiary of Canadian National Railway Company ("CN"), and is part of a Class I system of railroads in the United States controlled by Grand Trunk Corporation, a wholly-owned CN subsidiary. See Illinois Central Corporation and Illinois Central Railroad Company -- Control -- CCP Holdings, Inc., Chicago, Central & Pacific Railroad Company and Cedar River Railroad Company, Finance Docket No. 32858 (STB served May 14, 1996); Canadian National Ry. Co. -- Control -- Illinois Central Corp., 4 S.T.B. 122 (1999).

The complete name and address of CC&P is:

Chicago, Central & Pacific Railroad Company
17641 South Ashland Avenue
Homewood, Illinois 60430

Relief Sought: 49 C.F.R. § 1152.22(a)(3)

Pursuant to the Board's class exemption for the abandonment of out-of-service rail lines, codified at 49 C.F.R. § 1152.50(b), CC&P seeks to abandon its line of railroad extending from milepost 87.74 at 16th Street N.E. to the end of track at milepost 88.53 near 20th Street N.E. in Cedar Rapids, Linn County, Iowa, a distance of approximately 0.79 miles. No rail freight service has been provided on the North Cedar Rapids Spur for a number of years.

CC&P reaches Cedar Rapids via a secondary route off of CC&P's east-west main line across Iowa, and the North Cedar Rapids Spur is the outer end of a CC&P industrial line within the city. That line was once part of a through route of the Chicago, Milwaukee, St. Paul & Pacific Railroad Company (the "Milwaukee Road") extending south through Cedar Rapids to Ottumwa, Iowa and Kansas City. After the Milwaukee Road entered bankruptcy in 1977, the line was abandoned north of 20th Street N.E., and in 1981 Waterloo Railroad Company, an affiliate of Illinois Central Gulf Railroad Company ("ICG"), purchased the North Cedar Rapids Spur and certain other Cedar Rapids-area trackage from the Milwaukee Road estate. Illinois

Central Gulf Railroad Company and Waterloo Railroad Company -- Purchase (Portion) -- Chicago, Milwaukee, St. Paul and Pacific Railroad Company (Richard B. Ogilvie, Trustee), Finance Docket No. 29457 (Sub-No. 1) (ICC served March 5, 1981). In 1985, CC&P acquired the North Cedar Rapids Spur as part of its larger 1985 acquisition of ICG's lines in Iowa. While CC&P continues to provide service to shippers south of 16th Street N.E., rail operations are no longer conducted on the North Cedar Rapids Spur.

For much of its length the North Cedar Rapids Spur is immediately adjacent to the industrial facilities of Cedarapids, Inc. ("Cedarapids"). In 2002, Cedarapids initiated litigation (in state court, later removed to federal court) with CC&P regarding use of and title to that portion of the North Cedar Rapids Spur right-of-way. See Cedarapids, Inc. v. Chicago, Central & Pac. R. Co., 265 F. Supp. 2d 1005 (N.D. Iowa 2003). As part of a settlement of that litigation, the parties agreed that CC&P would abandon the North Cedar Rapids Spur and transfer the subject right-of-way to Cedarapids. STB approval or exemption of the abandonment of the North Cedar Rapids Spur is a condition of the settlement.

Map: 49 C.F.R. § 1152.22(a)(4)

A map showing the location of the North Cedar Rapids Spur and its relation to other rail lines, streets and geographic features in the area is attached hereto as Exhibit A.

Applicant's Representative: 49 C.F.R. § 1152.22(a)(7)

Any correspondence regarding the proposed abandonment should be sent to CC&P's representative at the following address:

Thomas J. Litwiler
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 920
Chicago, IL 60606-2832
(312) 252-1500

ZIP Codes Traversed: 49 C.F.R. § 1152.22(a)(8)

The North Cedar Rapids Spur traverses United States Postal Service ZIP Code 52402.

Qualification for Class Exemption: 49 C.F.R. § 1152.50(b)

CC&P certifies that no local traffic has moved over the North Cedar Rapids Spur for at least two years and that any overhead traffic formerly handled on the line can be rerouted over other lines. The North Cedar Rapids Spur has been stub-ended since before its 1985 acquisition by CC&P, and has never handled CC&P overhead traffic. CC&P further certifies that no formal complaint by a user of rail service on the North Cedar Rapids Spur (or a state or local governmental entity acting on behalf of such user) regarding cessation of service on the line either is pending with the Board or any U.S. District Court or has been decided in favor of such complainant during the last two years.¹ See Certification and Verification of Arthur L. Spiros, attached hereto as Exhibit B.

Proposed Consummation Date: 49 C.F.R. § 1152.50(d)(2)

CC&P intends to consummate abandonment of the North Cedar Rapids Spur on or shortly after November 11, 2005.

¹ As discussed above, Cedarapids and CC&P previously were parties to litigation regarding use of and title to the right-of-way of the North Cedar Rapids Spur. The litigation did not involve rail common carrier service to Cedarapids, and abandonment will facilitate the settlement agreement reached by the parties in that proceeding.

Suitability for Other Public Purposes: 49 C.F.R. § 1152.22(e)(4)

Under the settlement agreement between CC&P and Cedarapids discussed above, after abandonment most of the North Cedar Rapids Spur and its underlying right-of-way will be transferred to Cedarapids. The right-of-way thus would not be available or, CC&P believes, suitable for other public uses.

Notice Requirement: 49 C.F.R. §§ 1152.50(d)(2), 1105.11

A certificate that the agencies designated in 49 C.F.R. § 1152.50(d)(1) have been served with written prefilng notice of the proposed abandonment is attached hereto as Exhibit C. A certificate that the Environmental/Historic Report accompanying this Notice as Exhibit D has been served on the agencies designated in 49 C.F.R. § 1105.7(b) is attached as Appendix O to that Report.

Labor Protection: 49 C.F.R. § 1152.50(d)(2)

The appropriate level of labor protection for the transaction proposed herein is that set forth in Oregon Short Line R. Co. -- Abandonment -- Goshen, 360 I.C.C. 91 (1979). No CC&P employees will be adversely affected by the proposed abandonment.

Environmental and Historic Preservation Data: 49 C.F.R. § 1105

A copy of an Environmental/Historic Report prepared in compliance with the requirements and specifications of 49 C.F.R. § 1105 is attached hereto as Exhibit D. The original version of this Environmenal/Historic Report has been provided directly to the Board's Section of Environmental Analysis. The report concludes that the proposed abandonment of the North Cedar Rapids Spur, if implemented, will not significantly affect either the quality of the

human environment or the conservation of energy resources. No commenting agency has raised concerns or sought conditions in connection with the proposed abandonment.

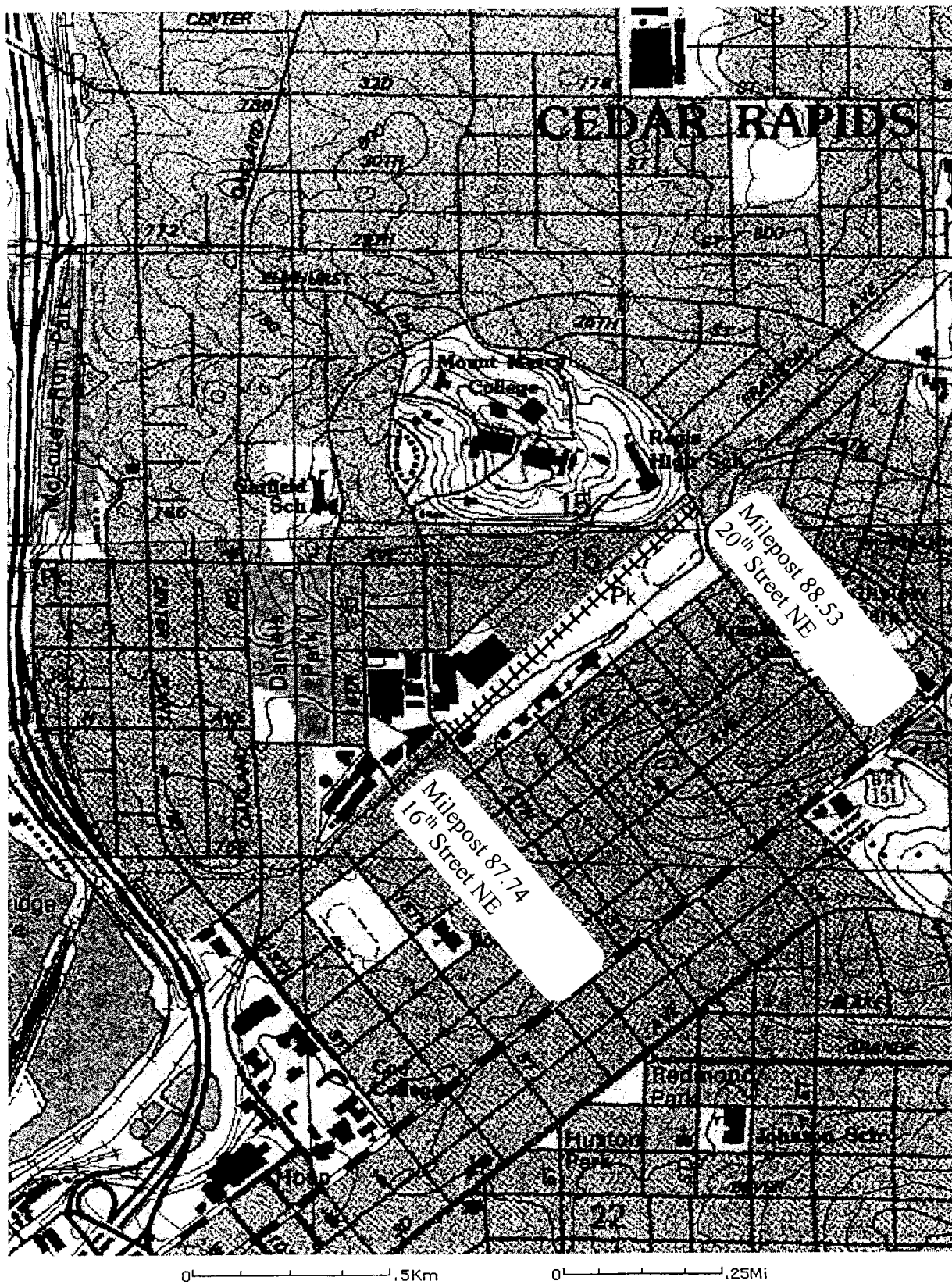
Respectfully submitted,

By: 

Thomas J. Litwiler
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832
(312) 252-1500

**ATTORNEYS FOR CHICAGO, CENTRAL &
PACIFIC RAILROAD COMPANY**

Dated: September 21, 2005



CERTIFICATION AND VERIFICATION

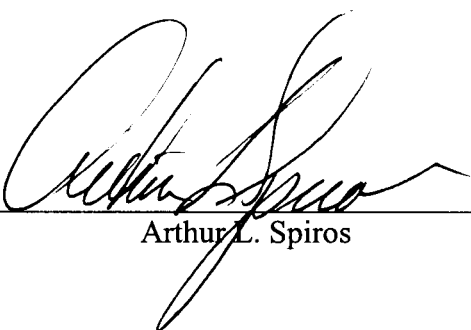
State of Illinois)
) ss:
County of Cook)

Arthur L. Spiros, being duly sworn, deposes and says that he is Real Estate Consultant for Chicago, Central & Pacific Railroad Company and that:

1) No local traffic has moved over CC&P's rail line between milepost 87.74 at 16th Street N.E. and milepost 88.53 near 20th Street N.E. in Cedar Rapids, Linn County, Iowa, for at least two years; any overhead traffic formerly handled on the line can be rerouted over other lines; and no formal complaint filed by a user of rail service on the line (or a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Board or any U.S. District Court or has been decided in favor of such complainant during the last two years;

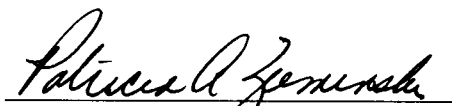
2) He has read the foregoing Notice of Exemption and knows the facts asserted therein, and the same are true as stated; and

3) He is qualified and authorized to execute and file this Notice of Exemption on behalf of Chicago, Central & Pacific Railroad Company.



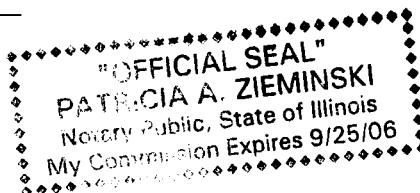
Arthur L. Spiros

SUBSCRIBED AND SWORN TO
before me this 20 day
of September, 2005.



Notary Public

My Commission expires:



CERTIFICATE OF NOTIFICATION

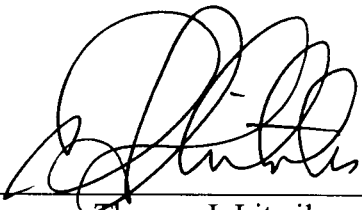
I hereby certify that on September 12, 2005, written notice in the form attached hereto and containing the information specified in 49 C.F.R. § 1152.50(d)(1) was served by first class mail, postage prepaid, upon the following agencies designated in that subsection:

Ms. Peggy A. Baer
Director, Office of Rail Transportation
Iowa Department of Transportation
800 Lincoln Way
Ames, Iowa 50010

Military Surface Deployment & Distribution Command
Transportation Engineering Agency
Railroads for National Defense Program
720 Thimble Shoals Boulevard, Suite 130
Newport News, VA 23606-4537

National Park Service
Recreation Resources Assistance Division
P.O. Box 37127
Washington, DC 20013-7127

Mr. Dale N. Bosworth
Chief of the Forest Service
U.S. Department of Agriculture
1400 Independence Avenue, S.W.
Washington, DC 20250-0003



Thomas J. Litwiler

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2875

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

September 12, 2005

Ms. Peggy A. Baer
Director, Office of Rail Transportation
Iowa Department of Transportation
800 Lincoln Way
Ames, Iowa 50010

Re: **Docket No. AB-314 (Sub-No. 3X)**
Chicago, Central & Pacific Railroad Company --
Abandonment Exemption -- In Linn County, Iowa

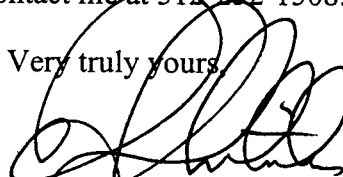
Dear Ms. Baer:

On or about September 22, 2005, Chicago, Central & Pacific Railroad Company ("CC&P") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of CC&P's line of railroad, referred to herein as the North Cedar Rapids Spur, extending from milepost 87.74 at 16th Street N.E. to the end of track at milepost 88.53 near 20th Street N.E. in Cedar Rapids, Linn County, Iowa, a distance of approximately 0.79 miles. The line traverses United States Postal Service ZIP Code 52402. CC&P's notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved for the previous two years. After abandonment, the right-of-way will be transferred to an immediately adjacent business.

We are notifying you of the proposed abandonment in accordance with the requirements of 49 C.F.R. § 1152.50(d)(1). As also required by that regulation, CC&P states that, based on information in its possession, the North Cedar Rapids Spur does not contain federally granted rights-of-way. Any relevant documentation on this subject in CC&P's possession will be made available promptly to those requesting it.

Should you have any questions or need additional information regarding this proposed abandonment, please feel free to contact me at 312-252-1508. Kind regards.

Very truly yours,



Thomas J. Litwiler
Attorney for Chicago, Central & Pacific
Railroad Company

TJL:tl

BEFORE THE
SURFACE TRANSPORTATION BOARD

COPY

DOCKET NO. AB-314 (SUB-NO. 3X)

CHICAGO, CENTRAL & PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN LINN COUNTY, IOWA

ENVIRONMENTAL/HISTORIC REPORT

Chicago, Central & Pacific Railroad Company ("CC&P") submits this Environmental/Historic Report in compliance with the reporting requirements of 49 C.F.R. §§ 1105.7 and 1105.8. Supporting correspondence is attached. It is the conclusion of this Report that the proposed abandonment, if implemented, will not significantly affect either the quality of the human environment or the conservation of energy resources.

ENVIRONMENTAL REPORT - 49 C.F.R. § 1105.7(e)

1. Proposed Action and Alternatives. CC&P seeks to abandon a line of railroad, referred to herein as the "North Cedar Rapids Spur," extending from milepost 87.74 at 16th Street N.E. to the end of track at milepost 88.53 near 20th Street N.E. in Cedar Rapids, Linn County, Iowa, a distance of approximately 0.79 miles. The stub-ended line is located on the north side of Cedar Rapids, and connects at 16th Street with other CC&P trackage extending toward the center of the city.

No freight traffic of any kind has been handled on the North Cedar Rapids Spur for several years. Abandonment of the rail line is being undertaken in connection with a settlement of litigation relating to the line between CC&P and Cedarapids, Inc. ("Cedarapids"), an immediately adjacent business. See Cedarapids, Inc. v. Chicago, Central & Pac. R. Co., 265

F. Supp. 2d 1005 (N.D. Iowa 2003). Following abandonment, and pursuant to the parties' settlement agreement, most of the North Cedar Rapids Spur and its underlying right-of-way will be transferred to Cedarapids. The transfer to Cedarapids will include rail and track materials, and any salvage activities by CC&P in connection with the abandonment will be minimal.

No alternatives to the proposed abandonment have been considered. The only alternative is retention of the North Cedar Rapids Spur in its current, unused state, which would have no environmental impact but would prevent implementation the settlement agreement between CC&P and Cedarapids.

A map showing the location of the North Cedar Rapids Spur is attached hereto as Appendix A.

2. Transportation System. CC&P does not anticipate that existing regional or local transportation systems or patterns will be adversely affected by the proposed abandonment. No freight traffic has moved over the North Cedar Rapids Spur for a number of years, and thus no rail traffic will be diverted to other modes as a result of abandonment. CC&P has never conducted overhead rail movements on the stub-ended North Cedar Rapids Spur, and no passenger trains are operated over the line. Alternative rail service will continue to be available from CC&P elsewhere in Cedar Rapids.

Abandonment of the North Cedar Rapids Spur will allow permanent closure of two inactive public highway grade crossings and two inactive private crossings. CC&P has contacted and requested comments from the Iowa Department of Transportation. See correspondence attached hereto as Appendix B.

3. Land Use.

(i) CC&P does not foresee any inconsistency with regional and/or local land use plans. After abandonment, most of the right-of-way of the North Cedar Rapids Spur will be incorporated into an existing, adjacent business. CC&P has contacted the Linn County Department of Planning & Development, which indicates that it does not have zoning or land use planning jurisdiction over the right-of-way and does not foresee any adverse environmental impacts arising from the proposed abandonment. See correspondence attached hereto as Appendices C and C-1.

(ii) CC&P believes that the proposed abandonment of the North Cedar Rapids Spur will not affect any prime or unique agricultural land. CC&P has contacted and requested comments from the Natural Resources Conservation Service of the United States Department of Agriculture and the Iowa Department of Agriculture & Land Stewardship, Division of Soil Conservation. See correspondence attached hereto as Appendices D and E. The latter agency has acknowledged the opportunity to review and comment on the abandonment, and also suggested that information be provided to the Linn Soil & Water Conservation District. See correspondence attached as Appendix E-1. CC&P has served a copy of this Environmental/Historic Report on the District. See correspondence attached as Appendix F.

(iii) The State of Iowa does not have an approved Coastal Zone Management plan.

(iv) CC&P does not believe that the right-of-way of the North Cedar Rapids Spur would be suitable for alternative public use under 49 U.S.C. § 10905. As

indicated above, abandonment is being undertaken in order to allow transfer of the right-of-way to an immediate adjacent and surrounding industry.

4. Energy.

(i) The proposed abandonment will not have any effect on the transportation of energy resources. No freight traffic has moved on the North Cedar Rapids Spur for several years, and CC&P foresees little or no possibility that new on-line traffic will develop in the future.

(ii) The movement and/or recovery of recyclable commodities will not be adversely affected by this abandonment. No recyclable commodities have moved over the North Cedar Rapids Spur for several years, and CC&P foresees little possibility that any on-line recyclable commodity traffic would develop in the future.

(iii) Abandonment will not result in an increase or decrease in overall energy efficiency. No freight traffic has moved on the North Cedar Rapids Spur for a number of years.

(iv) Not applicable. Abandonment of the North Cedar Rapids Spur will not cause the diversion of more than 1,000 rail carloads per year or an average of 50 rail carloads per mile per year to motor carriers.

5. Air.

(i) Not applicable. Abandonment will not result in (A) a minimum increase in rail traffic of 100% or eight trains per day on any segment of rail line, (B) an increase in rail yard activity of at least 100%, or (C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles per day on any road segment.

(ii) Not applicable. Linn County is not a class I or nonattainment area under the Clean Air Act. In any event, abandonment of the North Cedar Rapids Spur will not result in traffic increases which exceed the thresholds specified in 49 C.F.R. § 1105.7(e)(5)(ii)(A), (B) or (C).

(iii) Not applicable. No ozone depleting materials have been transported over the North Cedar Rapids Spur in several years, and no such shipments will be diverted as a result of this abandonment.

CC&P has contacted and requested comments from the Iowa Department of Natural Resources, Environmental Services Division and the U.S. Environmental Protection Agency. See correspondence attached hereto as Appendices G and H.

6. Noise. Not applicable. As indicated above, none of the thresholds identified in 49 C.F.R. § 1105.7(e)(5)(i) will be exceeded as a result of the abandonment.

7. Safety.

(i) The proposed action will have no adverse effect upon public health or safety. Abandonment of the North Cedar Rapids Spur will allow two inactive public rail/highway grade crossings and two private crossings to be eliminated.

(ii) Not applicable. No hazardous materials have been transported on the North Cedar Rapids Spur for at least several years, and no such shipments will be diverted as a result of abandonment. Accordingly, the proposed abandonment will have no effect on the transportation of hazardous materials.

(iii) There are no known hazardous waste sites or sites where there have been known hazardous material spills on the right-of-way of the North Cedar Rapids Spur.

8. Biological Resources.

(i) The North Cedar Rapids Spur is located in a well-developed, partially industrialized area within a mid-sized city. The line is immediately paralleled for much of its length by the existing facilities of Cedarapids, Inc., and after abandonment that segment of the right-of-way will be transferred to Cedarapids and incorporated into its operations. CC&P thus does not believe that any critical habitat will be destroyed, altered or affected as a result of the proposed abandonment, or that any endangered or threatened species are present in the area or would be adversely affected. The U.S. Fish & Wildlife Service has indicated that it has no objection to the proposed abandonment. See correspondence attached hereto as Appendices I and I-1. CC&P also has requested comments from the Iowa Department of Natural Resources. See correspondence attached as Appendix G.

(ii) The North Cedar Rapids Spur does not pass through or adjacent to any wildlife sanctuaries or refuges or any national or state parks or forests and, accordingly, none will be adversely affected. CC&P has contacted and requested comments from the National Park Service, as set forth in Appendix J.

9. Water. Any water quality effects of the proposed abandonment should be minimal, as the North Cedar Rapids Spur does not cross any bodies of water. CC&P does not anticipate discharge of any materials into navigable waters that would require permits under Sections 402 and 404 of the Clean Water Act. To CC&P's knowledge, there are no wetlands located in or along the right-of-way of the North Cedar Rapids Spur, and CC&P is unaware of any 100-year flood plains that would be affected by abandonment.

The U.S. Army Corps of Engineers has reviewed the proposed action and indicated that abandonment does not involve Army Corps administered lands, does not require a Section 404 permit, and does not raise any other environmental concerns.¹ See correspondence attached hereto as Appendices K and K-1. The U.S. Fish & Wildlife Service has also indicated that it has no objection to the proposed abandonment. See correspondence attached as Appendix I-1. Information on the proposed abandonment also has been provided to the U.S. Environmental Protection Agency and the Iowa Department of Natural Resources. See correspondence attached as Appendices G and H.

* * * * *

In addition to the agencies referenced above, CC&P also has contacted and requested comments from the Iowa State Clearinghouse within the Iowa Department of Economic Development (functioning as the state single point of contact) and the National Geodetic Survey. See correspondence attached as Appendices L and M. The National Geodetic Survey indicates that no geodetic station markers will be affected by the proposed abandonment of the North Cedar Rapids Spur. See correspondence attached as Appendix M-1.

HISTORIC REPORT - 49 C.F.R. § 1105.8(d)

1. Map. A map of the North Cedar Rapids Spur is attached hereto as Appendix A.
2. Description of Line. The line to be abandoned begins at milepost 87.74 at 16th Street N.E. in Cedar Rapids, where it connects with other CC&P trackage, and extends in a generally northeasterly direction approximately 0.79 miles to the end of track at milepost 88.53

¹ The Army Corps in its response indicated that CC&P should contact the U.S. Fish & Wildlife Service and the State Historical Society of Iowa regarding potential environmental or historic impacts. As indicated elsewhere in this Report, CC&P has engaged in those consultations.

near 20th Street N.E. in the northern section of Cedar Rapids. The area around the North Cedar Rapids Spur is flat, developed and urban/suburban, with industrial uses prevailing along most of the line and a high school and recreation field near the north end of the line. The single-track North Cedar Rapids Spur is laid with 90-pound rail rolled at a various times and is FRA excepted track. The width of the right-of-way is generally 75 feet.

3. Photographs. Not applicable. There are no buildings, bridges or other structures on the North Cedar Rapids Spur which are fifty years old or older.

4. Information on Structures. Not applicable. There are no buildings, bridges or other structures on the North Cedar Rapids Spur which are fifty years old or older.

5. History of Operations. The North Cedar Rapids Spur was constructed in 1865 by a predecessor of the Chicago, Milwaukee, St. Paul & Pacific Railroad Company ("MILW"). It initially was part of a branch to Cedar Rapids extending south from MILW's east-west line at Marion, Iowa. In 1884-1887 it was incorporated into MILW's original line to Kansas City, which eventually became a secondary route between MILW main lines at Marion and Ottumwa, Iowa. After MILW entered bankruptcy in 1977, the line was abandoned north of 20th Street N.E., and in 1981 Waterloo Railroad Company, an affiliate of Illinois Central Gulf Railroad Company ("ICG"), purchased the North Cedar Rapids Spur from the MILW estate. Illinois Central Gulf Railroad Company and Waterloo Railroad Company -- Purchase (Portion) -- Chicago, Milwaukee, St. Paul and Pacific Railroad Company (Richard B. Ogilvie, Trustee), Finance Docket No. 29457 (Sub-No. 1) (ICC served March 5, 1981). In 1985, CC&P acquired the North Cedar Rapids Spur as part of a larger transaction involving all of ICG's lines in Iowa. Chicago, Central & Pacific Railroad Company -- Purchase (Portion), Trackage Rights and Securities Exemption, Finance Docket No. 30663 (ICC served December 24, 1985).

CC&P has provided no rail freight service on the North Cedar Rapids Spur for several years, and CC&P and Cedarapids have entered into a settlement agreement that will resolve litigation between the parties and allow the right-of-way of the North Cedar Rapids Spur to be transferred to Cedarapids upon abandonment. Given the absence of recent freight operations on the line, no operational changes are anticipated as a result of this abandonment.

6. Engineering Documents. CC&P does not possess engineering drawings or records that would be useful in documenting any structures on the North Cedar Rapids Spur. As indicated above, there are no structures on the line that are fifty years old or older.

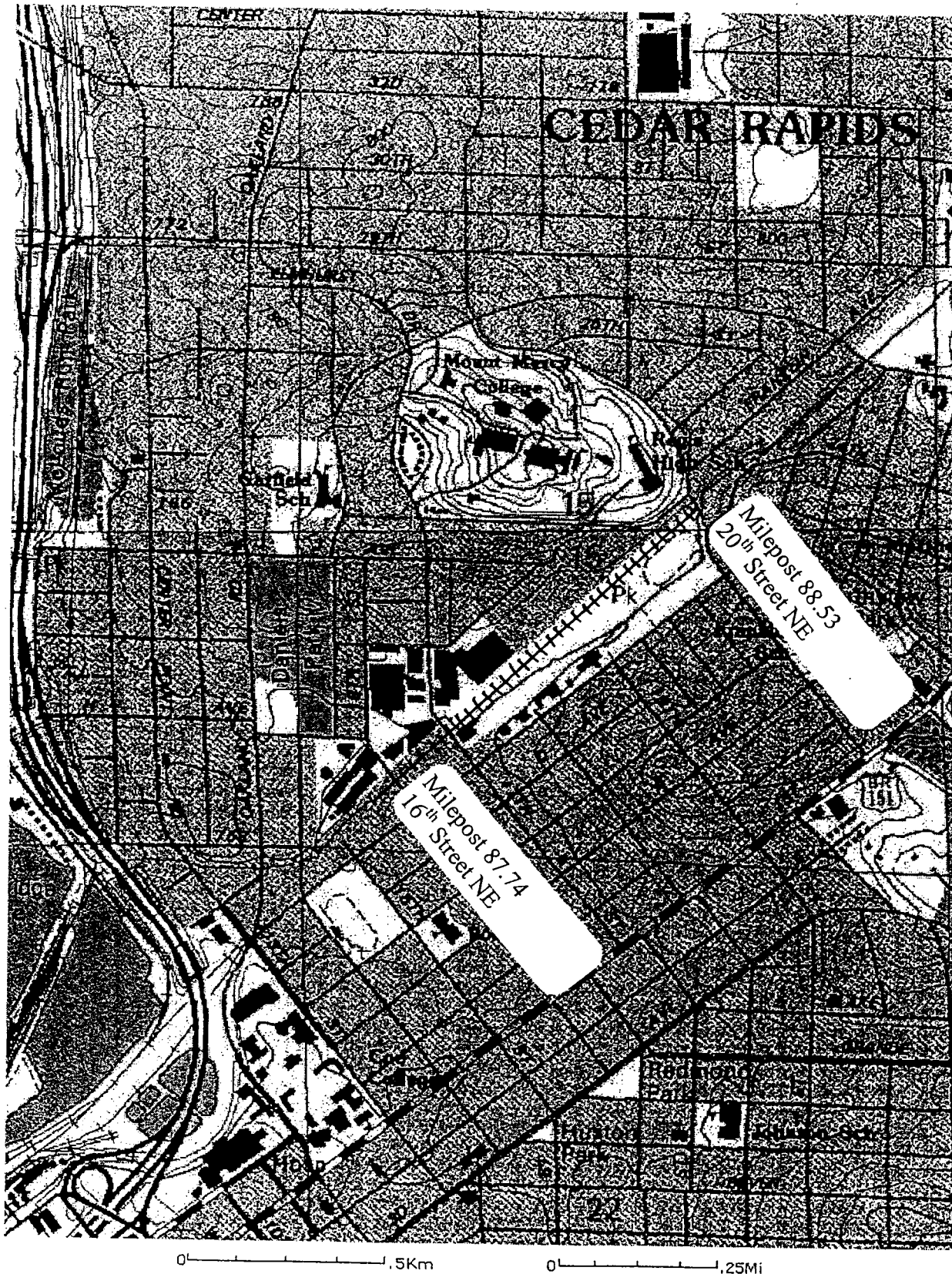
7. Historic Criteria. Based on readily available information in its possession, CC&P does not believe that any site or structure listed in or meeting the criteria for listing in the Natural Register of Historic Places is located on the North Cedar Rapids Spur or will be affected by the abandonment. CC&P also believes that no culturally significant locations, archaeological sites or unique land forms will be affected by the abandonment. CC&P has contacted and requested comments from the State Historical Society of Iowa, in its capacity as SHPO. See correspondence attached as Appendix N.

8. Ground Disturbances. Based on readily available information in its possession, CC&P believes that subsurface ground disturbance occurred when the North Cedar Rapids Spur was constructed 140 years ago, and in the subsequent development of the surrounding area. CC&P is unaware of any other environmental conditions that might affect the archaeological recovery of resources. Access to the North Cedar Rapids Spur is good.

CERTIFICATIONS - 49 C.F.R § 1105.7(c)

A certification that the foregoing Report has been served on each of the agencies designated in 49 C.F.R. § 1105.7(b) and that CC&P has consulted with all appropriate agencies

in preparing this Report is attached hereto as Appendix O. A certification that, in accordance with 49 C.F.R. § 1105.12, CC&P has published notice of the proposed abandonment in a newspaper of general circulation in the county through which the North Cedar Rapids Spur passes is attached hereto as Appendix P.



FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2875

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

April 29, 2005

Ms. Peggy A. Baer
Director, Office of Rail Transportation
Iowa Department of Transportation
800 Lincoln Way
Ames, Iowa 50010

Re: **Docket No. AB-314 (Sub-No. 3X)**
Chicago, Central & Pacific Railroad Company --
Abandonment Exemption -- In Linn County, Iowa

Dear Ms. Baer:

On or about June 8, 2005, Chicago, Central & Pacific Railroad Company ("CC&P") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of CC&P's line of railroad, referred to herein as the North Cedar Rapids Spur, extending from milepost 87.74 at 16th Street N.E. to the end of track at milepost 88.53 near 20th Street N.E. in Cedar Rapids, Linn County, Iowa, a distance of approximately 0.79 miles. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved for the previous two years. A map showing the location of the North Cedar Rapids Spur is attached for your reference. The line has been out-of-service for many years and is largely overgrown. After abandonment, the line will be transferred to an immediately adjacent business. Removal of rail or track materials by CC&P is not anticipated in connection with the abandonment.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the North Cedar Rapids Spur so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

1. Regional or local land use plans;
2. Regional or local transportation systems and patterns, including alternative transportation modes;
3. Energy consumption and efficiency;
4. Air emissions and noise levels;
5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year flood plains;
7. Endangered or threatened species and critical habitats;

FLETCHER & SIPPEL LLC

Ms. Peggy A. Baer
April 29, 2005
Page 2

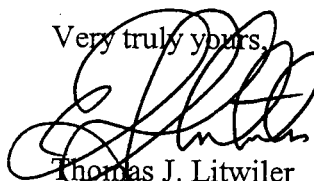
8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Prime agricultural land;
10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; or
12. The need for permits under Section 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the extremely limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-314 (Sub-No. 3X) and be sent to the undersigned, as counsel for CC&P, with a copy to:

Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W., Room 504
Washington, DC 20423-0001

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before CC&P's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1508. Thank you for your assistance on this matter. Kind regards.

Very truly yours,



Thomas J. Litwiler
Attorney for Chicago, Central & Pacific
Railroad Company

TJL:tl

Attachment

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2875

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

April 29, 2005

Mr. Les Beck
Director
Linn County Department of Planning and Development
930 First Street SW
Cedar Rapids, Iowa 52404-2161

Re: **Docket No. AB-314 (Sub-No. 3X)**
Chicago, Central & Pacific Railroad Company --
Abandonment Exemption -- In Linn County, Iowa

Dear Mr. Beck:

On or about June 8, 2005, Chicago, Central & Pacific Railroad Company ("CC&P") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of CC&P's line of railroad, referred to herein as the North Cedar Rapids Spur, extending from milepost 87.74 at 16th Street N.E. to the end of track at milepost 88.53 near 20th Street N.E. in Cedar Rapids, Linn County, Iowa, a distance of approximately 0.79 miles. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved for the previous two years. A map showing the location of the North Cedar Rapids Spur is attached for your reference. The line has been out-of-service for many years and is largely overgrown. After abandonment, the line will be transferred to an immediately adjacent business. Removal of rail or track materials by CC&P is not anticipated in connection with the abandonment.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the North Cedar Rapids Spur so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

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4. Air emissions and noise levels;
5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year flood plains;
7. Endangered or threatened species and critical habitats;

FLETCHER & SIPPEL LLC

Mr. Les Beck
April 29, 2005
Page 2

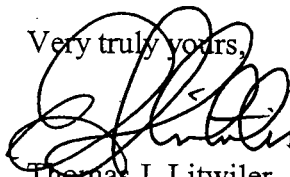
8. Wildlife sanctuaries or refuges and national or state parks or forests;
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10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; or
12. The need for permits under Section 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the extremely limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-314 (Sub-No. 3X) and be sent to the undersigned, as counsel for CC&P, with a copy to:

Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W., Room 504
Washington, DC 20423-0001

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before CC&P's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1508. Thank you for your assistance on this matter. Kind regards.

Very truly yours,



Thomas J. Litwiler
Attorney for Chicago, Central & Pacific
Railroad Company

TJL:tl

Attachment



Planning & Development
Linn County, Iowa

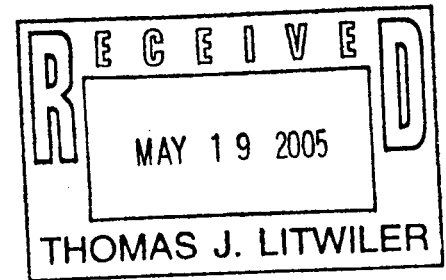
www.linncounty.org/planning

Docket No. AB-314 (Sub-No. 3X)
Environmental/Historic Report
Appendix C-1

Administrative Office Building
930 First Street Southwest
Cedar Rapids, Iowa 52404-2161

May 14, 2005

Thomas J. Litwiler
Fletcher & Sippel, LLC
29 North Wacker Drive, Suite 920
Chicago, IL 60606-2875



Re: Docket No. AB-314 (Sub-No. 3X)

Mr. Litwiler:

The location of the proposed abandonment of rail lines is not within the jurisdiction of Linn County Planning and Development. The rail line lies inside the City of Cedar Rapids and our department has no zoning or land use planning jurisdiction over land lying inside incorporated cities. Additionally, I foresee no adverse environmental impacts as a result of the proposed abandonment.

Best regards,

Les Beck
Director

Copy: Surface Transportation Board
Section of Environmental Analysis
1925 K Street, NW, Room 504
Washington, DC 20423-0001



FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2875

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

April 29, 2005

Mr. Richard Van Klaveren
State Conservationist
USDA Natural Resources Conservation Service
693 Federal Building
210 Walnut Street
Des Moines, Iowa 50309-2119

Re: **Docket No. AB-314 (Sub-No. 3X)**
Chicago, Central & Pacific Railroad Company --
Abandonment Exemption -- In Linn County, Iowa

Dear Mr. Van Klaveren:

On or about June 8, 2005, Chicago, Central & Pacific Railroad Company ("CC&P") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of CC&P's line of railroad, referred to herein as the North Cedar Rapids Spur, extending from milepost 87.74 at 16th Street N.E. to the end of track at milepost 88.53 near 20th Street N.E. in Cedar Rapids, Linn County, Iowa, a distance of approximately 0.79 miles. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved for the previous two years. A map showing the location of the North Cedar Rapids Spur is attached for your reference. The line has been out-of-service for many years and is largely overgrown. After abandonment, the line will be transferred to an immediately adjacent business. Removal of rail or track materials by CC&P is not anticipated in connection with the abandonment.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the North Cedar Rapids Spur so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

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2. Regional or local transportation systems and patterns, including alternative transportation modes;
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4. Air emissions and noise levels;
5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year flood plains;

FLETCHER & SIPPEL LLC

Mr. Richard Van Klaveren

April 29, 2005

Page 2

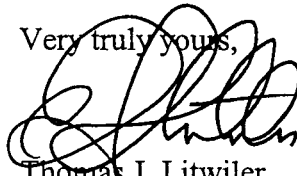
7. Endangered or threatened species and critical habitats;
8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Prime agricultural land;
10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; or
12. The need for permits under Section 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the extremely limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-314 (Sub-No. 3X) and be sent to the undersigned, as counsel for CC&P, with a copy to:

Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W., Room 504
Washington, DC 20423-0001

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before CC&P's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1508. Thank you for your assistance on this matter. Kind regards.

Very truly yours,



Thomas J. Litwiler
Attorney for Chicago, Central & Pacific
Railroad Company

TJL:tl

Attachment

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2875

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

April 29, 2005

Mr. Kenneth R. Tow
Director, Division of Soil Conservation
Iowa Department of Agriculture & Land Stewardship
502 East 9th Street
Des Moines, Iowa 50319

Re: **Docket No. AB-314 (Sub-No. 3X)**
Chicago, Central & Pacific Railroad Company --
Abandonment Exemption -- In Linn County, Iowa

Dear Mr. Tow:

On or about June 8, 2005, Chicago, Central & Pacific Railroad Company ("CC&P") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of CC&P's line of railroad, referred to herein as the North Cedar Rapids Spur, extending from milepost 87.74 at 16th Street N.E. to the end of track at milepost 88.53 near 20th Street N.E. in Cedar Rapids, Linn County, Iowa, a distance of approximately 0.79 miles. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved for the previous two years. A map showing the location of the North Cedar Rapids Spur is attached for your reference. The line has been out-of-service for many years and is largely overgrown. After abandonment, the line will be transferred to an immediately adjacent business. Removal of rail or track materials by CC&P is not anticipated in connection with the abandonment.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the North Cedar Rapids Spur so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

1. Regional or local land use plans;
2. Regional or local transportation systems and patterns, including alternative transportation modes;
3. Energy consumption and efficiency;
4. Air emissions and noise levels;
5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year flood plains;
7. Endangered or threatened species and critical habitats;

FLETCHER & SIPPEL LLC

Mr. Kenneth R. Tow
April 29, 2005
Page 2

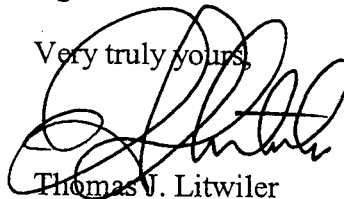
8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Prime agricultural land;
10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; or
12. The need for permits under Section 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the extremely limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-314 (Sub-No. 3X) and be sent to the undersigned, as counsel for CC&P, with a copy to:

Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W., Room 504
Washington, DC 20423-0001

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before CC&P's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1508. Thank you for your assistance on this matter. Kind regards.

Very truly yours,



Thomas V. Litwiler
Attorney for Chicago, Central & Pacific
Railroad Company

TJL:tl

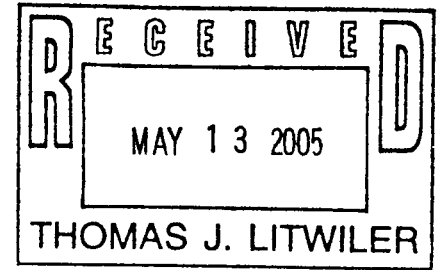
Attachment



PATTY JUDGE
SECRETARY OF AGRICULTURE

IOWA DEPARTMENT AGRICULTURE AND LAND STEWARDSHIP

Docket No. AB-314 (Sub-No. 3X)
Environmental/Historic Report
Appendix E-1



May 9, 2005

Thomas J. Litwiler
Attorney at Law
29 North Wacker Drive, Suite 290
Chicago, Illinois 60606-2875

Re: Docket No. AB-314 (Sub-No.3X)
Chicago, Central & Pacific Railroad Company—
Abandonment Exemption – Linn County, Iowa

Dear Mr. Litwiler:

I have received your letter of April 29, 2005, correspondence regarding Chicago, Central & Pacific Railroad Company's plans to abandon railroad line in Linn County, Iowa.

We have not given this proposal thorough review, but do acknowledge having received materials and being given the opportunity to review and comment if we so choose. This acknowledgment is not an indication of approval on our part.

If you have not already done so, I suggest that a copy of your proposal also be mailed to:

Linn Soil & Water Conservation District
3025 – 7th Avenue
Marion, IA 52302

We appreciate the consideration you have given us in this matter.

Sincerely,

Kenneth R. Tow, Director
Division of Soil Conservation

KRT:ejj

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2875

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

September 2, 2005

Mr. John S. Bruene
District Conservationist
Linn Soil & Water Conservation District
3025 7th Avenue
Marion, Iowa 52302-3715

Re: **Docket No. AB-314 (Sub-No. 3X)**
Chicago, Central & Pacific Railroad Company --
Abandonment Exemption -- In Linn County, Iowa

Dear Mr. Bruene:

On or about September 22, 2005, Chicago, Central & Pacific Railroad Company ("CC&P") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of CC&P's line of railroad, referred to herein as the North Cedar Rapids Spur, extending from milepost 87.74 at 16th Street N.E. to the end of track at milepost 88.53 near 20th Street N.E. in Cedar Rapids, Linn County, Iowa, a distance of approximately 0.79 miles.

In accordance with the request of Iowa Department of Agriculture and Land Stewardship and pursuant to 49 C.F.R. §§ 1105.7(b) and 1105.11, we are providing for your information the enclosed Environmental/Historic Report which will accompany the notice of exemption and which describes the proposed action and any expected environmental or historic effects. The Report also includes a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the Board's independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis at the following address:

Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W., Room 504
Washington, DC 20423-0001
(202) 565-1538

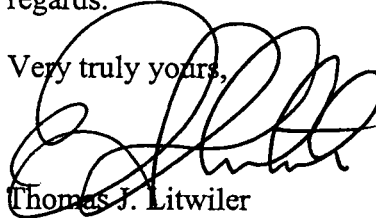
FLETCHER & SIPPEL LLC

Mr. John S. Bruene
September 2, 2005
Page 2

Your comments should reference Docket No. AB-314 (Sub-No. 3X) and, if written, should include a copy to the undersigned. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to the Section of Environmental Analysis would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental and historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, you should feel free to contact me directly at 312-252-1508. Thank you for your assistance on this matter. Kind regards.

Very truly yours,



Thomas J. Litwiler
Attorney for Chicago, Central & Pacific
Railroad Company

TJL:tl

Enclosure

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2875

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

April 29, 2005

Mr. Wayne Gieselman
Administrator, Environmental Services Division
Iowa Department of Natural Resources
502 East 9th Street
Des Moines, Iowa 50319-0034

Re: **Docket No. AB-314 (Sub-No. 3X)**
Chicago, Central & Pacific Railroad Company --
Abandonment Exemption -- In Linn County, Iowa

Dear Mr. Gieselman:

On or about June 8, 2005, Chicago, Central & Pacific Railroad Company ("CC&P") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of CC&P's line of railroad, referred to herein as the North Cedar Rapids Spur, extending from milepost 87.74 at 16th Street N.E. to the end of track at milepost 88.53 near 20th Street N.E. in Cedar Rapids, Linn County, Iowa, a distance of approximately 0.79 miles. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved for the previous two years. A map showing the location of the North Cedar Rapids Spur is attached for your reference. The line has been out-of-service for many years and is largely overgrown. After abandonment, the line will be transferred to an immediately adjacent business. Removal of rail or track materials by CC&P is not anticipated in connection with the abandonment.

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FLETCHER & SIPPEL LLC

Mr. Wayne Gieselman

April 29, 2005

Page 2

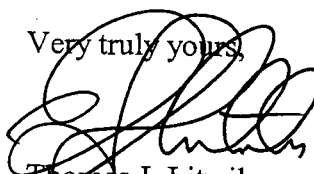
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Section of Environmental Analysis
1925 K Street, N.W., Room 504
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Very truly yours,



Thomas J. Litwiler
Attorney for Chicago, Central & Pacific
Railroad Company

TJL:tl

Attachment

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2875

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www.fletcher-sippel.com

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

April 29, 2005

Mr. James B. Gulliford
Regional Administrator, Region VII
U.S. Environmental Protection Agency
901 North 5th Street
Kansas City, Kansas 66101

Re: **Docket No. AB-314 (Sub-No. 3X)**
Chicago, Central & Pacific Railroad Company --
Abandonment Exemption -- In Linn County, Iowa

Dear Mr. Gulliford:

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FLETCHER & SIPPEL LLC

Mr. James B. Gulliford

April 29, 2005

Page 2

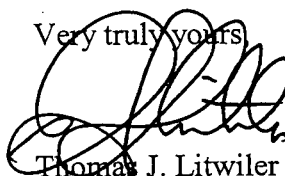
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Section of Environmental Analysis
1925 K Street, N.W., Room 504
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Very truly yours,



Thomas J. Litwiler
Attorney for Chicago, Central & Pacific
Railroad Company

TJL:tl

Attachment

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2875

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tlitwiler@fletcher-sippel.com

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

April 29, 2005

Mr. Richard C. Nelson
Supervisor, Rock Island Field Office
U.S. Fish & Wildlife Service
4469 48th Avenue Court
Rock Island, Illinois 61201-9213

Re: **Docket No. AB-314 (Sub-No. 3X)**
Chicago, Central & Pacific Railroad Company --
Abandonment Exemption -- In Linn County, Iowa

Dear Mr. Nelson:

On or about June 8, 2005, Chicago, Central & Pacific Railroad Company ("CC&P") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of CC&P's line of railroad, referred to herein as the North Cedar Rapids Spur, extending from milepost 87.74 at 16th Street N.E. to the end of track at milepost 88.53 near 20th Street N.E. in Cedar Rapids, Linn County, Iowa, a distance of approximately 0.79 miles. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved for the previous two years. A map showing the location of the North Cedar Rapids Spur is attached for your reference. The line has been out-of-service for many years and is largely overgrown. After abandonment, the line will be transferred to an immediately adjacent business. Removal of rail or track materials by CC&P is not anticipated in connection with the abandonment.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the North Cedar Rapids Spur so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

1. Regional or local land use plans;
2. Regional or local transportation systems and patterns, including alternative transportation modes;
3. Energy consumption and efficiency;
4. Air emissions and noise levels;
5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year flood plains;
7. Endangered or threatened species and critical habitats;

FLETCHER & SIPPEL LLC

Mr. Richard C. Nelson
April 29, 2005
Page 2

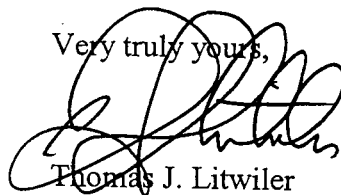
8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Prime agricultural land;
10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; or
12. The need for permits under Section 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the extremely limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-314 (Sub-No. 3X) and be sent to the undersigned, as counsel for CC&P, with a copy to:

Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W., Room 504
Washington, DC 20423-0001

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before CC&P's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1508. Thank you for your assistance on this matter. Kind regards.

Very truly yours,



Thomas J. Litwiler
Attorney for Chicago, Central & Pacific
Railroad Company

TJL:tl

Attachment

Docket No. AB-314 (Sub-No. 3X)
Environmental/Historic Report
Appendix I-1

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2875

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

April 29, 2005

Mr. Richard C. Nelson
Supervisor, Rock Island Field Office
U.S. Fish & Wildlife Service
4469 48th Avenue Court
Rock Island, Illinois 61201-9213

NO OBJECTION

U.S. Fish & Wildlife Service
Rock Island, Illinois

J. Miller 5/1/05
Supervisor Date

Re: **Docket No. AB-314 (Sub-No. 3X)**
Chicago, Central & Pacific Railroad Company --
Abandonment Exemption -- In Linn County, Iowa

Dear Mr. Nelson:

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7. Endangered or threatened species and critical habitats;

MAY 1 2005

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Chicago, Illinois 60606-2875

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Fax: (312) 252-2400
www.fletcher-sippel.com

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

April 29, 2005

Ms. Sandra Washington
Chief, Planning and Compliance Division
National Park Service, Midwest Region
601 Riverfront Drive
Omaha, Nebraska 68102-4226

Re: **Docket No. AB-314 (Sub-No. 3X)**
Chicago, Central & Pacific Railroad Company --
Abandonment Exemption -- In Linn County, Iowa

Dear Ms. Washington:

On or about June 8, 2005, Chicago, Central & Pacific Railroad Company ("CC&P") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of CC&P's line of railroad, referred to herein as the North Cedar Rapids Spur, extending from milepost 87.74 at 16th Street N.E. to the end of track at milepost 88.53 near 20th Street N.E. in Cedar Rapids, Linn County, Iowa, a distance of approximately 0.79 miles. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved for the previous two years. A map showing the location of the North Cedar Rapids Spur is attached for your reference. The line has been out-of-service for many years and is largely overgrown. After abandonment, the line will be transferred to an immediately adjacent business. Removal of rail or track materials by CC&P is not anticipated in connection with the abandonment.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the North Cedar Rapids Spur so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

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7. Endangered or threatened species and critical habitats;

FLETCHER & SIPPEN LLC

Ms. Sandra Washington

April 29, 2005

Page 2

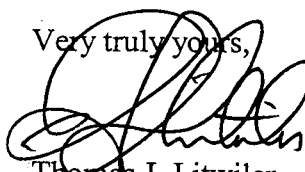
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9. Prime agricultural land;
10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; or
12. The need for permits under Section 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the extremely limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-314 (Sub-No. 3X) and be sent to the undersigned, as counsel for CC&P, with a copy to:

Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W., Room 504
Washington, DC 20423-0001

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before CC&P's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1508. Thank you for your assistance on this matter. Kind regards.

Very truly yours,



Thomas J. Litwiler
Attorney for Chicago, Central & Pacific
Railroad Company

TJL:tl

Attachment

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2875

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

April 29, 2005

Mr. Michael D. Hayes
Regulatory Project Manager
U.S. Army Corps of Engineers
Rock Island District
P.O. Box 2004
Rock Island, Illinois 61204-2004

Re: **Docket No. AB-314 (Sub-No. 3X)**
Chicago, Central & Pacific Railroad Company --
Abandonment Exemption -- In Linn County, Iowa

Dear Mr. Hayes:

On or about June 8, 2005, Chicago, Central & Pacific Railroad Company ("CC&P") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of CC&P's line of railroad, referred to herein as the North Cedar Rapids Spur, extending from milepost 87.74 at 16th Street N.E. to the end of track at milepost 88.53 near 20th Street N.E. in Cedar Rapids, Linn County, Iowa, a distance of approximately 0.79 miles. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved for the previous two years. A map showing the location of the North Cedar Rapids Spur is attached for your reference. The line has been out-of-service for many years and is largely overgrown. After abandonment, the line will be transferred to an immediately adjacent business. Removal of rail or track materials by CC&P is not anticipated in connection with the abandonment.

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6. Designated wetlands and 100-year flood plains;

FLETCHER & SIPPEL LLC

Mr. Michael D. Hayes

April 29, 2005

Page 2

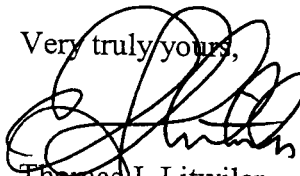
7. Endangered or threatened species and critical habitats;
8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Prime agricultural land;
10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; or
12. The need for permits under Section 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the extremely limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-314 (Sub-No. 3X) and be sent to the undersigned, as counsel for CC&P, with a copy to:

Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W., Room 504
Washington, DC 20423-0001

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before CC&P's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1508. Thank you for your assistance on this matter. Kind regards.

Very truly yours,



Thomas J. Litwiler
Attorney for Chicago, Central & Pacific
Railroad Company

TJL:tl

Attachment



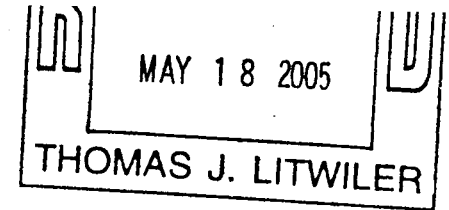
REPLY TO
ATTENTION OF:

Planning, Programs, and
Project Management Division

DEPARTMENT OF THE ARMY
ROCK ISLAND DISTRICT, CORPS OF ENGINEERS
CLOCK TOWER BUILDING - P.O. BOX 2004
ROCK ISLAND, ILLINOIS 61204-2004

May 13, 2005

Docket No. AB-314 (Sub-No. 3X)
Environmental/Historic Report
Appendix K-1



Mr. Thomas J. Litwiler
Attorney
Fletcher & Sippel LLC
29 North Wacker Drive, Suite 920
Chicago, Illinois 60606-2875

Dear Mr. Litwiler:

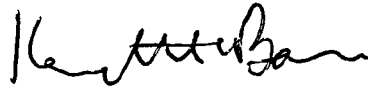
I received your letter dated April 29, 2005, concerning Docket No. AB-314 (Sub-No. 3X), Chicago, Central & Pacific Railroad Company – Abandonment Exemption – in Linn County, Iowa. Rock Island District staff reviewed the information you provided and have the following comments:

- a. Your proposal does not involve Rock Island District Corps of Engineers (Corps) administered land; therefore, no further Rock Island District Corps real estate coordination is necessary.
- b. Your project, as proposed, does not require a Department of the Army (DA) Section 404 permit. We made this determination because the proposed project does not indicate discharge of dredged or fill material into waters of the United States (including wetlands).
- c. The Responsible Federal Agency should coordinate with Ms. Maria Pandullo, Iowa Historic Preservation Agency, ATTN: Review and Compliance Program, State Historical Society of Iowa, Capitol Complex, Des Moines, Iowa 50319 to determine impacts to historic properties.
- d. The Rock Island Field Office of the U.S. Fish and Wildlife Service should be contacted to determine if any federally listed endangered species are being impacted and, if so, how to avoid or minimize impacts. The Rock Island Field Office address is: 4469 - 48th Avenue Court, Rock Island, Illinois 61201. Mr. Rick Nelson is the Field Supervisor. You can reach him by calling 309/793-5800.

No other concerns surfaced during our review. Thank you for the opportunity to comment on your proposal. If you need more information, please call Ms. Sandra Brewer of our Economic and Environmental Analysis Branch, telephone 309/794-5171.

You may find additional information about the Corps' Rock Island District on our web site at <http://www.mvr.usace.army.mil>. To find out about other Districts within the Corps, you may visit the web site <http://www.usace.army.mil/divdistmap.html>.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth A. Barr". The signature is fluid and cursive, with the first name "Kenneth" being more legible than the last name "Barr".

Kenneth A. Barr
Chief, Economic and Environmental
Analysis Branch

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2875

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(312) 252-1508
tlitwiler@fletcher-sippel.com

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Fax: (312) 252-2400
www.fletcher-sippel.com

April 29, 2005

Mr. Steven R. McCann
Iowa State Clearinghouse
Iowa Department of Economic Development
200 East Grand Avenue
Des Moines, Iowa 50309

Re: **Docket No. AB-314 (Sub-No. 3X)**
Chicago, Central & Pacific Railroad Company --
Abandonment Exemption -- In Linn County, Iowa

Dear Mr. McCann:

On or about June 8, 2005, Chicago, Central & Pacific Railroad Company ("CC&P") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of CC&P's line of railroad, referred to herein as the North Cedar Rapids Spur, extending from milepost 87.74 at 16th Street N.E. to the end of track at milepost 88.53 near 20th Street N.E. in Cedar Rapids, Linn County, Iowa, a distance of approximately 0.79 miles. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved for the previous two years. A map showing the location of the North Cedar Rapids Spur is attached for your reference. The line has been out-of-service for many years and is largely overgrown. After abandonment, the line will be transferred to an immediately adjacent business. Removal of rail or track materials by CC&P is not anticipated in connection with the abandonment.

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FLETCHER & SIPPEL LLC

Mr. Steven R. McCann
April 29, 2005
Page 2

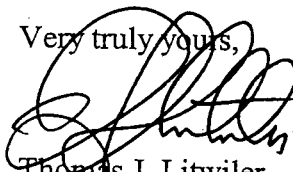
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Very truly yours,



Thomas J. Litwiler
Attorney for Chicago, Central & Pacific
Railroad Company

TJL:tl

Attachment

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
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tlitwiler@fletcher-sippel.com

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Fax: (312) 252-2400
www.fletcher-sippel.com

April 29, 2005

Mr. Richard A. Snay
Chief, Spatial Reference System Division
National Geodetic Survey
N/NGS2, SSMC3, Room 8828
1315 East West Highway
Silver Spring, Maryland 20910-3282

Re: **Docket No. AB-314 (Sub-No. 3X)**
Chicago, Central & Pacific Railroad Company --
Abandonment Exemption -- In Linn County, Iowa

Dear Mr. Snay:

On or about June 8, 2005, Chicago, Central & Pacific Railroad Company ("CC&P") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of CC&P's line of railroad, referred to herein as the North Cedar Rapids Spur, extending from milepost 87.74 at 16th Street N.E. to the end of track at milepost 88.53 near 20th Street N.E. in Cedar Rapids, Linn County, Iowa, a distance of approximately 0.79 miles. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved for the previous two years. A map showing the location of the North Cedar Rapids Spur is attached for your reference. The line has been out-of-service for many years and is largely overgrown. After abandonment, the line will be transferred to an immediately adjacent business. Removal of rail or track materials by CC&P is not anticipated in connection with the abandonment.

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FLETCHER & SIPPEL LLC

Mr. Richard A. Snay

April 29, 2005

Page 2

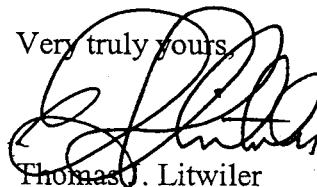
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Very truly yours,



Thomas J. Litwiler
Attorney for Chicago, Central & Pacific
Railroad Company

TJL:tl

Attachment



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
National Geodetic Survey
Silver Spring, Maryland 20910-3282

MAY 10 2005

Docket No. AB-314 (Sub-No. 3X)
Environmental/Historic Report
Appendix M-1

Ms. Victoria J. Rutson
Chief, Section of Environmental Analysis
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

Dear Ms. Rutson:

The area in question on the map with the Environmental and Historic Reports for the proposed rail line abandonment of the Chicago, Central & Pacific Railroad Company, the North Cedar Rapids Spur, a distance of approximately 0.79 miles from milepost 87.74 at 16th Street N.E. to the end of track at milepost 88.53 near 20th Street N.E. in Cedar Rapids, Linn County, Iowa, STB Docket No. AB-314 (Sub-No. 3X), has been reviewed within the areas of National Geodetic Survey (NGS) responsibility and expertise and in terms of the impact of the proposed actions on NGS activities and projects.

As a result of this review, no geodetic station markers have been identified that may be affected by the proposed abandonment.

If further information is needed, contact Mr. Frank C. Maida. His address is NOAA, N/NGS2, Room 8736, 1315 East-West Highway, Silver Spring, Maryland 20910-3282, telephone: 301-713-3198, fax: 301-713-4324, e-mail: Frank.Maida@noaa.gov.

Sincerely,

Richard A. Snay
Chief, Spatial Reference System Division

Enclosures

cc: N/NGS1 - G. Mitchell

Thomas J. Litwiler, Attorney for Chicago,
Central & Pacific Railroad Company



Printed on Recycled Paper



FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2875

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

April 29, 2005

Ms. Lavon Grimes
Review & Compliance Coordinator
State Historical Society of Iowa
600 East Locust Street
Des Moines, IA 50309-0290

Re: **Docket No. AB-314 (Sub-No. 3X)**
Chicago, Central & Pacific Railroad Company --
Abandonment Exemption -- In Linn County, Iowa

Dear Ms. Grimes:

On or about June 8, 2005, Chicago, Central & Pacific Railroad Company ("CC&P") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of CC&P's line of railroad, referred to herein as the North Cedar Rapids Spur, extending from milepost 87.74 at 16th Street NE to the end of track at milepost 88.53 near 20th Street NE in Cedar Rapids, Linn County, Iowa, a distance of approximately 0.79 miles. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved for the previous two years. A map showing the location of the North Cedar Rapids Spur is attached for your reference. The line has been out-of-service for many years and is largely overgrown. After abandonment, the line will be transferred to an immediately adjacent business. Removal of rail or track materials by CC&P is not anticipated in connection with the abandonment.

In accordance with the Board's historic preservation regulations, 49 C.F.R. § 1105.8, we are advising you of the proposed abandonment of the North Cedar Rapids Spur so that you may determine whether this action will have any effect on any historic structures or sites. There are no railroad structures of any kind or age located on the North Cedar Rapids Spur. CC&P also is unaware of any historic sites involved in the proposed abandonment.

We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-314 (Sub-No. 3X) and be sent to the undersigned, as counsel for CC&P, with a copy to:

Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W., Room 504
Washington, DC 20423-0001

FLETCHER & SIPPEL LLC

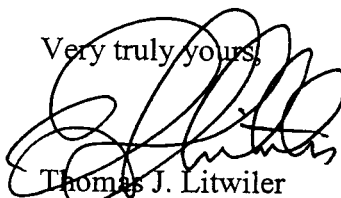
Ms. Lavon Grimes

April 29, 2005

Page 2

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Very truly yours,



Thomas J. Litwiler
Attorney for Chicago, Central & Pacific
Railroad Company

TJL:tl

Attachment

CERTIFICATE OF SERVICE

I hereby certify that Chicago, Central & Pacific Railroad Company has consulted with all appropriate agencies in preparing the foregoing Environmental/Historic Report and that on September 2, 2005 a copy of the foregoing report was served by first class mail, postage prepaid, upon each of the following agencies as designated in 49 C.F.R. § 1105.7(b):

Ms. Peggy A. Baer
Director, Office of Rail Transportation
Iowa Department of Transportation
800 Lincoln Way
Ames, IA 50010

Mr. Wayne Gieselman
Administrator, Environmental Services Division
Iowa Department of Natural Resources
502 East 9th Street
Des Moines, IA 50319-0034

Mr. Kenneth R. Tow
Director, Division of Soil Conservation
Iowa Department of Agriculture & Land Stewardship
502 East 9th Street
Des Moines, IA 50319

Mr. Richard Van Klaveren
State Conservationist
USDA Natural Resources Conservation Service
693 Federal Building
210 Walnut Street
Des Moines, IA 50309-2119

Mr. Steven R. McCann
Iowa State Clearinghouse
Iowa Department of Economic Development
200 East Grand Avenue
Des Moines, IA 50309

Mr. Kenneth A. Barr
Chief, Economic & Environmental Analysis Branch
U.S. Army Corps of Engineers
Rock Island District
P.O. Box 2004
Rock Island, IL 61204-2004

Ms. Judy G. Millar
U.S. Fish & Wildlife Service
Rock Island Field Office
4469 48th Avenue Court
Rock Island, IL 61201-9213

Mr. James B. Gulliford
Regional Administrator, Region VII
U.S. Environmental Protection Agency
901 North 5th Street
Kansas City, KS 66101

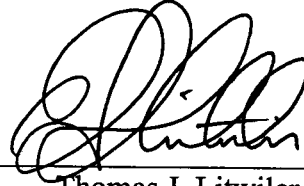
Ms. Sandra Washington
Chief, Planning and Compliance Division
National Park Service, Midwest Region
601 Riverfront Drive
Omaha, NE 68102-4226

Mr. Richard A. Snay
Chief, Spatial Reference System Division
National Geodetic Survey
N/NGS2, SSMC3, Room 8736
1315 East West Highway
Silver Spring, MD 20910-3282

Mr. Leslie T. Beck
Director
Linn County Department of Planning & Development
930 First Street Southwest
Cedar Rapids, IA 52404-2161

Mr. John S. Bruene
District Conservationist
Linn Soil & Water Conservation District
3025 7th Avenue
Marion, IA 52302-3715

Ms. Lavon Grimes
Review & Compliance Coordinator
State Historical Society of Iowa
600 East Locust Street
Des Moines, IA 50309-0290

A handwritten signature in black ink, appearing to read 'T. Litwiler', is written over a horizontal line.

Thomas J. Litwiler

Dated: September 21, 2005

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-314 (SUB-NO. 3X)

CHICAGO, CENTRAL & PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN LINN COUNTY, IOWA

**CERTIFICATION OF PUBLICATION
PURSUANT TO
49 C.F.R. § 1105.12**


I, Thomas J. Litwiler, an attorney for Florida Central Railroad Company, Inc., hereby certify as follows:

1. I have contacted the following newspaper of general circulation for the county in which the rail line to be abandoned in this proceeding is located, and arranged for the publication of a Notice of Intent to Abandon pursuant to 49 C.F.R. § 1105.12:

Linn County - *The Gazette*
300 3rd Avenue SE
P.O. Box 511
Cedar Rapids, IA 52406

2. The Notice of Intent to Abandon will be published in *The Gazette* on September 22, 2005.

3. *The Gazette* is providing a proof of publication for the Notice as published in that newspaper, and I will forward such proof of publication to the Board once received.



Thomas J. Litwiler

Dated: September 21, 2005